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CLERK U.S. DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN JOSE

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JUL 25 2005

CLERK U.S. DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN JOSE

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN JOSE DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

v.

RAFAEL RAMOS-ROJAS,

Defendant.

No. CR 05-00442 RMW

[PROPOSED] ORDER EXCLUDING TIME  
FROM THE SPEEDY TRIAL ACT  
CALCULATION (18 U.S.C. §§ 3161(h)(8)(A)  
& 3161(h)(8)(B)(iv))

On July 21, 2005, the parties appeared before the Court for an arraignment on an indictment. At the hearing, the defendant entered a plea of not guilty and the undersigned parties requested that the matter be placed on Judge Whyte's calendar on August 8, 2005 at 9:00 a.m. In addition, the parties stipulated and agreed that an exclusion of time under Speedy Trial Act from July 21, 2005 until August 8, 2005 was appropriate based on the defendant's need for effective preparation of counsel and continuity of counsel. AFPD Vinnard, who represents the defendant, will be out of town on work-related matters until the end of July and needs additional time to review the discovery and consult with the defendant.

[PROPOSED] ORDER TO EXCLUDE TIME  
CR 05-00442 RMW

1 SO STIPULATED.

KEVIN V. RYAN  
United States Attorney

2 DATED: \_\_\_\_\_

3 SUSAN KNIGHT  
Assistant United States Attorney

4 DATED: \_\_\_\_\_

5 ANGELA HANSEN  
Assistant Federal Public Defender

6  
7 Accordingly, the Court HEREBY ORDERS that a status hearing be scheduled for August  
8 8, 2005 at 9:00 a.m. before the Honorable Judge Whyte.

9 The Court FURTHER ORDERS that the time between July 21, 2005 and August 8, 2005  
10 is excluded under the Speedy Trial Act. The Court finds that the failure to grant the requested  
11 continuance would deny the defendant effective preparation of counsel and continuity of counsel.  
12 The Court finds that the ends of justice served by granting the requested continuance outweigh  
13 the best interest of the public and the defendant in a speedy trial and in the prompt disposition of  
14 criminal cases. The Court therefore concludes that this exclusion of time should be made under  
15 18 U.S.C. §§ 3161(h)(8)(A) and 3161(h)(8)(B)(iv).

16 IT IS SO ORDERED.

17  
18 7/27/05  
19 Dated

Patricia V. Trumbull  
PATRICIA V. TRUMBULL  
Chief United States Magistrate Judge